IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.808 OF 2006
IN
SUIT NO.1683 OF 2002

Tarabai Kanji Thakkar (since deceased)
through 1(a) Mr.Kanjibhai & Ors. ..Plaintiffs
Versus
Kedarnath M.Singh (since deceased)
through 1(a) Prabhatkumar & ors. ..Defendants
And
Mr.Devdas Kashinath Bandekar ..Applicant

Mr.Pankaj Thatte for the plaintiffs.

Mr.A.B.Ketkar for the applicant.

Coram : R.S.Mohite,J

Date : 19.09.2006.

PC

1. This is a Chamber summons taken out by the applicant who is a landlord of tenanted premises. There appears to be no dispute that the original plaintiff in the suit is the tenant. The suit is filed by the plaintiff for recovery of possession against their conductor. In my view, the present applicant would not be a necessary party in the suit as decree can be passed in the suit withoug hearing the landlord. Needless to say that the applicant who is a landlord will have liberty to seek the eviction of the tenant if a ground can be made out for eviction under law. Subject to this clarification, Chamber summons is disposed off.

(R.S.Mohite,J)